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*Mission permanente du Portugal*
*Genève*

HUMAN RIGHTS COMMISSION

45TH SESSION

- ITEM 10 -

Right of Reply

Mrs Ana Martins Gomes, on behalf
of the Portuguese Delegation

Geneva, 22th February 1989

My delegation will comment on the right of reply exercised by the distinguished Representative of Indonesia.

1. Cooperation extended by Indonesia to this Commission.

On the cooperation extended by his government to the Commission Rapporteurs and Working Group, my delegation in its statement under item 10 duly acknowledged the progress registred this year in the cooperation extended to the Working Group on disappearances, thus allowing the clarification of some cases. Still many more remain to be clarified. We have indeed pointed out that clarification provided now, after four years of transmission of the cases - informing that the "disappeared" were in prison or in different villages - evidences the precedent lack of real will to cooperate, in spite of the formal replies sent by the government to the Group during past years.

Actually my delegation suggested to the Government of Indonesia to extend further that cooperation and invite the Special Rapporteurs and Working Group to visit East Timor.

Furthermore, my delegation would like to point out that the fact that cooperation is being extended by a Government doesn t unfortunately exclude that violations have taken place and are actually occurrying. Therefore it should not prevent Commission members from raising their concerns on the issue. Such is the case of East Timor, from where disturbing reports on serious human rights violations continue to come to the knowledge of the Portuguese people.

2. Questionning the number of 200.000 victims of war in East Timor - Indeed this is a number that can not be confirmed, - as we, ourselves, have pointed out - due to the blocus imposed on the territory by the occupying power. However, according to Indonesian official figures, the victims were at least 100.000. I leave to you all the evaluation of the difference between 100.000 and 200.000 peoples, in terms of massive human rights violations...

In this respect, let me quote the Indonesian Governor of East Timor, Mr Mario Carrascalao, who said, according to the National Geografic Magazine, edition of last January: Practically speaking (...) every family in East Timor has lost someone in this civil war'.

Besides, in East Timor not only more timorese lost their lives; many Indonesians also died, and their number is as well impossible to determine exactly. That is what confirmed by General Ali Sadikin, former Governor of Djakarta until 1977 - unsuspected of sharing our views on East Timor since he supports its invasion by Indonesia - who says in an interview to the Review 'Inside Indonesia', published in Australia, in its edition of October 1988, and I quote:

'What do you hear about East Timor today? Is there any news? No. We have no idea who has died. Hundreds of soldiers have died there, but the Indonesian people are not told. That is immoral! Un-Pancasila-like: Someone dies honorably in the battlefield, while serving the nation, and the

people are not told. We don't even know where they are buried. Really immoral!

...As an Indonesian citizen I am amazed. Don't we honour the dead any more? Where is our pride? What about the families, the wives, the children? "My father has died serving his country in East Timor". Why don't the people Know? Why are these deaths concealed? Why are the bodies not brought back here? I don't know. We have no way of Knowing whether they are buried here or there."

Furthermore, my delegation has to reaffirm what it has already said before this Commission in the past: Portugal, who was at that time starting the decolonization process which was successfully carried on in all its other former colonies except East Timor, was not in position to timely send troops to resist the Indonesian army in 1975. But in no way can my country be held responsible by all the killings and other sufferings imposed on the East Timorese, as a result of the Indonesian invasion. Besides, Indonesia was blamed by the International Community for the terrible events in East Timor, the General Assembly having several times urged it to withdraw its troops and allow the timorese to exercise their right to selfdetermination.

3. On the 3 students "wishing to emigrate". Isn't it three years a too long time to get the authorisation to "emigrate", specially when the people in question expressed in so strinking way their need to leave Indonesia?

Let me also precise that the student now arrived in Lisbon did not get such an authorization after that time. He managed to escape.

4. Concerning the reports of humanitarian NGO's cited by my delegation, we don't use them as a proof that violations of human rights exist in East Timor. As Portugal and the International Community lack direct monitoring of the situation in East Timor, we have to rely on the assessment of human rights organizations as those mentioned, of credible and uncontroversial sources like Archbishop Belo, and over all on the direct testimony of the East Timorese who got out of the territory.

As the European Commissioner Mr Cheysson - who can not be suspected of unfriendly feelings towards Indonesia - put it recently in a debate in the European Parliament "The reports on human rights violations in East Timor are too convergent to be ignored".

5. On the free access to East Timor and the visits that have taken place we are aware that there have been in recent months some visitors brought to East Timor. But these visitors are, as we said, carefully selected and always tightly escorted by Indonesian officials, not being able to move freely and not getting permission to travel to ample areas of the territory.

Anyhow, some of these visitors, once there, realize how much repression is imposed on the Timorese. I will just quote the reporter of the "National Geografic Magazine" that I've mentioned, who states in his article: "Normally journalists are not allowed into the province, but I was granted a three-day visit in the company of a foreign-office official. The army refused access to the eastern part of the province" and further on "More difficult to measure was a climate of fear that I felt where we did go".

Other visitors, later realise they have been mislead, the reality being quite different from what they have been told and were shown. Let me just call your attentions on a letter Mrs Beate Weber - a Member of the European Parliament who, in her personal capacity, visited East Timor last August, at the invitation of the Indonesian authorities - sent last January 11th to the Indonesian

Ambassador in Brussels and which was made public. She writes there referring to the arrest of 3.000 people prior to the visit of the President od Indonesia:

"If the operations mentioned above took place there is a clear contradiction between what we had been told and the real situation, a fact I would regret very much".

As the distinguished Representative of Indonesia has mentioned, the Indonesian Parliament has extended an invitation to its Portuguese counterpart to send a delegation to visit East Timor. The Portuguese Parliament is now considering that invitation and soon we hope talks in New York will be resumed in order to define terms and modalities of a possible visit.

Nevertheless, nor that visit neither other of selected visitors should replace or exclude the free access to the territory by normal outside observers such as humanitarian NGO, international press and simple tourists.

As we said the announced "opening" of East Timor by the Indonesian authorities as from January 1st 1989 on which we will welcome concrete developments - is only

limited to one third of the territory. And the simple fact that Indonesian authorities have now declared it opened to all Indonesian and the East Timorese allowed to travel to Indonesia, isn't that exactly the most clear evidence of what we have been telling this Commission - that the territory has been closed to the world, isolated even from Indonesia?

Finally Mr Chairman,

Allow me to address a request to the distinguished Indonesian Representative - to refrain from arguing with the presence of ICRC as a deterrent of the international concern and the need for scrutiny of the situation in East Timor. All the members of this Commission know very well that the ICRC can not disclose informations, given the very nature of its role and functions and in order to secure the continuation of its presence.